

## SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

### PART 313—SIMPLIFIED ACQUISITION PROCEDURES

#### Subpart 313.3—Simplified Acquisition Methods

Sec.

313.301 Governmentwide commercial purchase card.

313.303 Blanket Purchase Agreements (BPAs).

313.303-5 Purchases under BPAs.

313.305 Imprest funds and third party drafts.

313.305-1 General.

313.306 SF 44, Purchase Order—Invoice—Voucher.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 66 FR 4233, Jan. 17, 2001, unless otherwise noted.

#### Subpart 313.3—Simplified Acquisition Methods.

##### 313.301 Governmentwide commercial purchase card.

(b) The Department has issued general guidance concerning the use of governmentwide commercial purchase cards, and has authorized the OPDIVs to establish procedures for the use, administrative and management controls, and training necessary to comply with FAR 13.301.

##### 313.303 Blanket Purchase Agreements (BPAs).

##### 313.303-5 Purchases under BPAs.

(e)(5) Delivery documents, invoices, etc., signed by the Government employee receiving the item or service will be forwarded to the fiscal office or other paying office as designated by the OPDIV. Payment will be made on the basis of the signed document, invoice, etc. Contracting offices will ensure that established procedures allowing for availability of funds are in effect prior to placement of orders.

##### 313.305 Imprest funds and third party drafts.

##### 313.305-1 General.

Requests to establish imprest funds shall be made to the responsible fiscal office. At larger activities where the cashier may not be conveniently located near the purchasing office, a Class C Cashier may be installed in the purchasing office. Documentation of cash purchases shall be in accordance with instructions contained in the HHS Voucher Audit Manual Part 1, Chapter 1-10.

##### 313.306 SF 44, Purchase Order—Invoice—Voucher.

(d) Since the Standard Form (SF) 44 is an accountable form, a record shall be maintained of serial numbers of the form, to whom issued, and date issued. SF 44's shall be kept under adequate lock and key to prevent unauthorized use. A reservation of funds shall be established to cover total anticipated expenditures prior to use of the SF 44.

### PART 314—SEALED BIDDING

#### Subpart 314.2—Solicitation of Bids

Sec.

314.202 General rules for solicitation of bids.

314.202-7 Facsimile bids.

314.213 Annual submission of representations and certifications.

#### Subpart 314.4—Opening of Bids and Award of Contract

314.404 Rejection of bids.

314.404-1 Cancellation of invitations after opening.

314.407 Mistakes in bids.

314.407-3 Other mistakes disclosed before award.

314.407-4 Mistakes after award.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 66 FR 4233, Jan. 17, 2001, unless otherwise noted.

**Subpart 314.2—Solicitation of Bids****314.202 General rules for solicitation of bids.****314.202-7 Facsimile bids.**

If the head of the contracting activity (HCA) (not delegable) has determined that the contracting activity will allow use of facsimile bids and proposals, the HCA shall prescribe internal procedures, in accordance with the FAR, to ensure uniform processing and control.

**314.213 Annual submission of representations and certifications.**

Each HCA (not delegable) shall determine whether the contracting activity will allow use of the annual submission of representations and certifications by bidders.

**Subpart 314.4—Opening of Bids and Award of Contract****314.404 Rejection of bids.****314.404-1 Cancellation of invitations after opening.**

The chief of the contracting office (CCO) (not delegable) shall make the determinations required to be made by the agency head in FAR 14.404-1.

**314.407 Mistakes in bids.****314.407-3 Other mistakes disclosed before award.**

(e) Authority has been delegated to the Departmental Protest Control Officer, Office of Acquisition Management, Office of Grants and Acquisition Management, to make administrative determinations in connection with mistakes in bid alleged after opening and before award. This authority may not be redelegated.

(f) Each proposed determination shall have the concurrence of the Chief, Business Law Branch, Business and Administrative Law Division, Office of General Counsel.

(i) Doubtful cases shall not be submitted by the contracting officer directly to the Comptroller General, but shall be submitted to the Departmental Protest Control Officer.

**314.407-4 Mistakes after award.**

(c) Authority has been delegated to the Departmental Protest Control Officer to make administrative determinations in connection with mistakes in bid alleged after award. This authority may not be redelegated.

(d) Each proposed determination shall have the concurrence of the Chief, Business Law Branch, Business and Administrative Law Division, Office of the General Counsel.

**PART 315—CONTRACTING BY NEGOTIATION****Subpart 315.2—Solicitation and Receipt of Proposals and Information****Sec.**

315.204 Contract format.

315.204-5 Part IV—Representations and instructions.

315.208 Submission, modification, revision, and withdrawal of proposals.

315.209 Solicitation provisions and contract clauses.

**Subpart 315.3—Source Selection**

315.305 Proposal evaluation.

315.306 Exchanges with offerors after receipt of proposals.

315.307 Proposal revisions.

315.370 Finalization of details with the selected source.

315.371 Contract preparation and award.

315.372 Preparation of negotiation memorandum.

**Subpart 315.4—Contract Pricing**

315.404 Proposal analysis.

315.404-2 Information to support proposal analysis.

315.404-4 Profit.

**Subpart 315.6—Unsolicited Proposals**

315.605 Content of unsolicited proposals.

315.606 Agency procedures.

315.606-1 Receipt and initial review.

315.609 Limited use of data.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 66 FR 4233, Jan. 17, 2001, unless otherwise noted.